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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,121	12/18/2001	Daijiro Murata	16869S-040200US	3817
20350	7590	06/16/2006	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			CHOI, PETER H	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/025,121	MURATA ET AL.	
	Examiner	Art Unit	
	Peter Choi	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/18/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a first office action upon examination of application number 10/025121. In compliance with a restriction requirement mailed March 1, 2006, Applicant has elected Group I. Claims 1-3 and 9 are now pending in the application and have been examined on the merits discussed below. Claims 4-8 and 10 have been withdrawn as non-elected claims.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- Reference characters 211 and 216 on Figure 2
- Reference character 413 on Figure 4
- Reference character 504 on Figure 5
- Reference characters 603, and 604 on Figure 6
- Reference character 706 on Figure 7
- Reference character 807 on Figure 8
- Reference characters 905, 906, and 907 on Figure 9

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- Reference characters 1003, 1004, 1005, and 1006 on Figure 10
- Reference character 1401 on Figure 14
- Reference characters 1802, 1803, and 1804 on Figure 18
- Reference characters 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, and 1910 on Figure 19

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "1412" (in Figure 14) and "1414" (from page 32, line 4 of the specification) have both been used to designate "Work Access Privilege Definition Table". Reference character 1414 is used to designate the work access privilege

definition table on page 32, line 22 of the specification. Correction is required to reconcile this discrepancy.

Similarly, both reference characters "212" (in Figure 2) and "22" (from page 8, line 28 of the specification) have been used to designate the "A-screen part". This discrepancy has been deemed to be a typographical error. Correction is required to reconcile this discrepancy.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

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4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3 and 9 rejected under 35 U.S.C. 102(b) as being anticipated by Larry Steven's "Simplifying Complex Project Management: Complex Projects at US West Benefit from AutoPlan II Project Management Software" (herein referred to as Stevens), published in the August 1995 issue of Open Computing (reference 1-U).

As per claim 1, Stevens teaches a method of managing a hierarchically structured project on a computer, comprising the steps of:

(a) defining subprojects composing the hierarchical structure (**You can input up to 10,000 tasks or milestones, broken down into 128 levels of resources and/or subprojects. The project elements can be organized into 12 levels of work breakdown structures, which provide a hierarchy of tasks**) [Paragraph 10];

(b) defining each structure of works composing said subproject (**You can input up to 10,000 tasks or milestones, broken down into 128 levels of resources and/or subprojects**) [Paragraph 10];

(c) storing information about each work of said subproject (**Required resources (people or material), as well as time limitations, can be specified for each task in a project; Now that the program is easily accessible from anyone's workstation, it's much less difficult for team members to enter project data. As a**

result, the information on a project's progress is almost always up-to-date)

[Paragraphs 11, 19];

(d) collecting information of the corresponding works among the plurality of subprojects selected by a user as a compound work **(Using the graphical interface, tasks or entire projects can be linked together; Now that the program is easily accessible from anyone's workstation, it's much less difficult for team members to enter project data. As a result, the information on a project's progress is almost always up-to-date)** [Paragraphs 11, 19]; and

(e) displaying the information of said works on a compound-work basis **(AutoPlan II is designed to allow workgroups to plan and monitor projects. It contains the two most common project management charts: Gantt and PERT charts)** [Paragraph 11].

As per claim 2, Stevens teaches a project management method as claimed in claim 1, wherein the information about said each work includes progress information and the method displays a progress degree of all works composed as said compound work **(AutoPlan II is designed to allow workgroups to plan and monitor projects. It contains the two most common project management charts: Gantt and PERT charts; PERT charts display tasks with information about resources or start and finish dates and show the relationships among tasks and between tasks and milestones; Gantt charts graphically show the planned chronology of a project. When you list the tasks in a column, the time period for those tasks is displayed**

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horizontally across the screen; The reports most often selected are plan-versus-actual dates and costs, and percentage of the project (or sub-project) completed. The reports can be displayed in tabular or graphical format) [Paragraphs 11, 14, 15, 18].

As per claim 3, Stevens teaches a project management method as claimed in claim 1, wherein an access privilege is set to said project, said subproject and said work, and the informations of said project, said subproject and said work, the access privileges of which are given to the user, are displayed **(set up passwords by user identification, specifying which users can make changes and which can merely create reports and view the project charts) [Paragraph 20].**

As per claim 9, Stevens teaches a system of managing a hierarchically structured project, comprising:

(a) project defining means for defining subprojects composing the hierarchical structure **(You can input up to 10,000 tasks or milestones, broken down into 128 levels of resources and/or subprojects. The project elements can be organized into 12 levels of work breakdown structures, which provide a hierarchy of tasks) [Paragraph 10];**

(b) WBS (Work Breakdown Structure) defining means for defining each structure of works composing said subproject **(You can input up to 10,000 tasks or**

milestones, broken down into 128 levels of resources and/or subprojects)

[Paragraph 10];

(c) storage means for storing information about each work of said subproject **(Required resources (people or material), as well as time limitations, can be specified for each task in a project; Now that the program is easily accessible from anyone's workstation, it's much less difficult for team members to enter project data. As a result, the information on a project's progress is almost always up-to-date)** [Paragraphs 11, 19];

(d) compound work generating means for collecting information about the corresponding works among the plurality of subprojects selected by the user as a compound work **(Using the graphical interface, tasks or entire projects can be linked together; Now that the program is easily accessible from anyone's workstation, it's much less difficult for team members to enter project data. As a result, the information on a project's progress is almost always up-to-date)** [Paragraphs 11, 19]; and

(e) display means for displaying information about said works on the compound-work basis **(AutoPlan II is designed to allow workgroups to plan and monitor projects. It contains the two most common project management charts: Gantt and PERT charts)** [Paragraph 11].

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Parviz Rad discussed work breakdown structure in project management in "Deliverable-oriented work breakdown structure", published in 1999 (reference 1-V).

In July 1995, W. Richard Mosig Jr discussed SureTrack Project Manager for Windows, which is the "P3 Lite" of Primavera Project Planner by Primavera Systems, Inc. (reference 1-W).

In April 1995, Mike Heck discussed Primavera's SureTrak Project Manager for Windows (reference 1-X).

In January 1998, Tom Conkright discussed work breakdown structure in project management in "So you're going to manage a project..." (reference 2-U).

The Reference Manual for Primavera Project Planner, Version 3.0 was published in 1999 (reference 2-V).

Archived versions of <www.hyperthot.com> discusses tips for working with Microsoft Project and the importance of organizing tasks in a work breakdown structure (reference 2-W) .

In April 1995, Mike Heck discussed AutoPlan II (reference 2-X).

AutoPLAN project management software was available as far back as January 28, 1992 and September 10, 1991 (references 3-U, 3-V).

Specifications for AutoPLAN and AutoTEAM from 1998 disclose that these software packages provide password protection, work breakdown structures, and graphical updating of progress (reference 3-W).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Choi whose telephone number is (571) 272 6971. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PC

May 26, 2006

Peter Choi
Examiner
Art Unit 3623



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